PATENT & TRADEMARK OFFICE
JUN 22 2001
TC 1

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR DEBUGGING PROGRAMS IN A DISTRIBUTED ENVIRONMENT**; the specification of which was filed March 14, 2001 as Application Serial No. 09/808,612.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No. 60/189,521, filed March 15, 2000

I hereby revoke any previous powers of attorney in the subject application, and hereby appoint the registrants of GAZDZINSKI & ASSOCIATES, 3914 Murphy Canyon Road, Suite A232, San Diego, California 92123, Telephone (858) 505-1166, including Robert F. Gazdzinski, Registration Number 39,990, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Thomas J. Pennello**

Inventor's signature _____

Date June 7, 2001

Residence: **130 Van Ness, Santa Cruz, California, United States**

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: **(Same as above)**

Full name of second inventor: **Henry A. Davis**

Inventor's signature _____

Date 7 June 2001

Residence: **2131 Delaware Avenue, Suite E, California, United States**

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: **(Same as above)**

Send Correspondence To:

Robert F. Gazdzinski, Esq.
Gazdzinski & Associates
3914 Murphy Canyon Road, Suite A232
San Diego, CA 92123
Telephone No. 858-505-1166
Facsimile No. 858-505-1168

OIPE
JUN 2 2 2001
PATENT & TRADEMARK OFFICE

MWI.003A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Thomas J. Pennello, et al.	)
Serial No.	:	09/808,612	)
Filed	:	March 14, 2001	)
For	:	**METHOD AND APPARATUS FOR DEBUGGING PROGRAMS IN A DISTRIBUTED ENVIRONMENT**	)
Examiner	:	Unknown	

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of GAZDZINSKI & ASSOCIATES, 3914

Murphy Canyon Road, Suite A232, San Diego, California 92123, Telephone (858) 505-1166, including Robert F. Gazdzinski, Registration Number 39,990, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

ARC Cores, Inc.

Dated: 7 JUN 2001

By: _____

Henry Davis
Vice President of Intellectual Property
Address: 2131 Delaware Avenue, Suite E
Santa Cruz, CA 95060

ASSIGNMENT

WHEREAS, We, Thomas J. Pennello, a United States citizen, residing at 130 Van Ness, Santa Cruz, California, United States and Henry A Davis, a United States citizen, residing at 3201 Browns Lane, Soquel, California, United States, have invented certain new and useful improvements in a **METHOD AND APPARATUS FOR DEBUGGING PROGRAMS IN A DISTRIBUTED ENVIRONMENT** for which we have filed an application for Letters Patent in the United States, Application No. 09/808,612, filed March 14, 2001 which claims priority benefit to provisional patent application Serial No. 60/189,521, filed March 15, 2000;

AND WHEREAS, ARC Cores, Inc. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 6268 Santa Teresa Boulevard, San Jose, California 95119-1205, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar ($1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of June 2001.

Thomas J. Pennello

STATE OF California
COUNTY OF Santa Cruz } ss.

On June 7th 2001, before me, Joel Brodsky, personally appeared Thomas J. Pennello personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

JOEL BRODSKY
Comm. # 1285329
NOTARY PUBLIC-CALIFORNIA
Santa Cruz County
My Comm. Expires Nov. 24, 2004

Joel Brodsky
Notary Signature

COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of June 2001.

Henry A. Davis

STATE OF California
COUNTY OF Santa Cruz
ss.

On June 7th 2001, before me, Joel Brodsky, personally appeared Henry A. Davis personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

JOEL BRODSKY
Comm. # 1285329
NOTARY PUBLIC-CALIFORNIA
Santa Cruz County
My Comm. Expires Nov. 24, 2004

Notary Signature

COPY